

UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW MEXICO

In re:

SHAUNA, INC.,

Debtor.

No. 7-04-12388 MA

DEBTOR'S MOTION TO DISMISS BANKRUPTCY

COMES NOW the Debtor, Shauna, Inc. and hereby moves the Court to dismiss the Chapter 7 Proceeding captioned In re Shauna Inc., and bearing case no. 7-04-12388 as grounds for the motion the Debtor states:

1. This case was commenced in response to a proliferation of lawsuits against the Debtor.
2. The Debtor has filed schedules and statements and attended the 341 Meeting.
3. Although most creditors have determined not to continue litigation against the Debtor, the Striplings, creditors herein, seek to pursue litigation.
4. The Debtor, a corporation, would not receive a discharge if this case were to proceed.
5. The Debtor believes that the appropriate forum for the litigation, as a matter of judicial economy, is in the Court of original jurisdiction.
6. Creditors will not be prejudiced by dismissal of this case because the Debtor would not receive a discharge of its debts and because it does not appear that there are going to be any assets available for distribution to creditors.

Wherefore, the Debtor requests that the Court dismiss this Chapter 7 Proceeding and for such other and further relief as the Court deems just and proper.



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United States Bankruptcy Court - District of New Mexico

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